IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

Writ Petition No.2072 of 1994

Messrs.Goyal Brothers ..Petitioners

vs.

1. Municipal Corporation of
Greater Bombay and others ..Respondents

Smt.Armin Wandrewala i/b P.M.* Mithi & Co. for petitioners.
Smt.Aruna Savla for respodnent no.1.
Shri Milind Sathe, Sr.Advocate with Shri V.B.Naik i/b M/s P.K.Shroff and Co. for respondent no.7

CORAM: SWATANTER KUMAR C.J.
& S.C.DHARMADHIKARI J.
7th JUNE, 2007

P.C.

1. Learned Counsel appearing for the petitioner states that prayes (a) and (b) of the petition have already been considered and as such these prayers do not survive. However, in relation to prayer (c) it is submitted that the respondents should be called upon to deal with the sanctioned plan submitted by the petitioners and pass appropriate orders in accordance with the relevant laws. However, the respondents state that the original plans which were submitted have already been sanctioned and there is nothing pending before the Corporation as of today. This position is, however, not admitted by the petitioners and on the facts afore recorded learned Counsel for the respondents seeks direction to the petitioners to submit the plan accompanied by such

documents as are required under the Rules, including for the benefits of utilisation of the FSI/TDR, to the Corporation within a period of four weeks from today and thereafter the Corporation shall consider the same in accordance with Rules and pass appropriate orders within four weeks thereafter. In the event no plans are submitted within four weeks by the petitioners the benefit accruing from this order shall stand automatically withdrawn. Writ Petition is accordingly disposed of leaving the parties to bear their own costs.

(CHIEF JUSTICE)

(S.C.DHARMADHIKARI J.)